

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Plaintiff(s),

v.

CANYON WILLOW OWNERS
ASSOCIATION, et al.,

Defendant(s).

Case No. 2:16-CV-203 JCM (CWH)

ORDER

Presently before the court is defendant Canyon Willow Owners Association's motion to dismiss plaintiff Federal National Mortgage Association's complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). (ECF No. 13). Defendant filed this motion on March 21, 2016. (*Id.*). Against this defendant, plaintiff alleges wrongful foreclosure in connection with the February 2013, sale of the real property at 3085 Casey Drive #201, Las Vegas, Nevada. (ECF No. 1). Plaintiff did not file a response.

The local rules have the force of law. *See United States v. Hvass*, 355 U.S. 570, 574–575 (1958). Under Local Rule 7-2(d), “[t]he failure of an opposing party to file points and authorities in response to any motion . . . constitutes a consent to the granting of the motion.”

This court is cognizant that the joint proposed discovery plan and scheduling order indicate that seemingly productive settlement discussions have broken down and that the parties discussed stipulating that the case should be stayed. (ECF No. 23). However, the parties submitted no such stipulation. *See (id.)*. Next, Magistrate Judge Hoffman signed that scheduling order on October 24, 2016—long after defendant filed the present motion. (ECF Nos. 13, 23). Furthermore, about two months have elapsed since that order, but plaintiff still has not addressed the motion to dismiss. *See* (ECF No. 23).

1 Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff Federal
3 National Mortgage Association shall, within fourteen (14) days of the date of this order, show
4 cause why Canyon Willow Owners Association's motion to dismiss (ECF No. 13) should not be
5 granted.

6 DATED December 28, 2016.

7 
UNITED STATES DISTRICT JUDGE